

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**MARINA STEWART-MAGEE,** )  
**as Administrator and Personal** )  
**Representative of the ESTATE** )  
**OF ALBINA AGDASOVNA** )  
**SHARIFULLINA, deceased,** )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**DANIEL BENJAMIN SNYDER,** )  
 )  
**Defendant.** )

**Case No. 21-00047-DSC**

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**PLAINTIFF'S MOTION TO DISMISS CASE NUMBER 21-00047-DSC**

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Comes now the Plaintiff, **MARINA STEWART-MAGEE, as Administrator and Personal Representative of the ESTATE OF ALBINA AGDASOVNA SHARIFULLINA, deceased**, and respectfully requests this Honorable Court to dismiss, without prejudice, the above-styled proceeding bearing case number 21-000-47-DSC. As grounds for said motion, Plaintiff submits the following:

1. On November 10, 2021, the Plaintiff/Creditor, Marina Stewart-Magee, filed a Complaint against the Defendant/Debtor, Daniel Benjamin Snyder, to determine the non-dischargeability of a debt in a Chapter 7 bankruptcy case filed by the Debtor. The case number assigned to the Plaintiff's proceeding is 21-00046-DSC.

2. Counsel for the Plaintiff, Kendall A. Lee, filed the Plaintiff's Complaint through the Court's electronic case filing (CM/ECF) system. During the filing process, Ms. Lee inadvertently filed the Complaint twice, generating a second, duplicative proceeding, bearing case number 21-00047-DSC.

3. Based on the foregoing, the Plaintiff requests that the second-filed proceeding, bearing case number 21-00047-DSC, be dismissed, without prejudice, as duplicative. The Plaintiff will continue to pursue the first-filed proceeding against the Debtor, bearing case number 21-00046-DSC.

Dated this 12<sup>th</sup> day of November, 2021.

  
Mark W. Lee (ASB-4579-L59M)

/s/ Kendall A. Lee  
Kendall A. Lee (ASB-1392-W21L)  
Attorneys for Creditor  
Marina Stewart-Magee

**OF COUNSEL:**

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**DEBTOR TO BE SERVED VIA FIRST CLASS  
MAIL PURSUANT TO RULE 7004(b)(9)**

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**DEBTOR'S COUNSEL TO BE SERVED VIA FIRST  
CLASS MAIL PURSUANT TO RULE 7004(g)**

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**OTHER PARTIES TO BE SERVED VIA FIRST  
CLASS MAIL PURSUANT TO RULE 7004(b)**

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